IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.831/06

Chandra @ Shankar Ram Pujari .....Applicant

V/s.

The state of Maharashtra
(Through Khopoli
Police Station) .... Respondent

Mrs.Anjali Patil for the applicant
Miss.M.M. Deshmukh APP for the State

CORAM : V.M. KANADE, J.
DATE : 12/04/06

P.C:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R.No.42/03 registered with Khopoli Police Station, for the offences punishable U/s.395, 342, 452, 411 of IPC.

3. It is alleged that the applicant is in jail since 13/10/2003. Charge has not been framed so far. Other eight accused have been released on bail. Chargehsset has been filed. There is no recovery at

the instance of present applicant. In respect of other cases which are pending against the applicant, he was acquitted in all the cases. In my view, the applicant is entitled to be released on bail on the ground of parity.

4. The applicant be released on bail in the sum of Rs.5000/- with one or two sureties in like amount. The applicant shall not tamper the evidence or threaten the witnesses. The applicant shall report to Khopoli police station twice in a month.

5. If any complaint is received by I.O. against the present applicant, liberty is given to the Public Prosecutor to apply for cancellation of bail.

6. The Trial Court shall not be influenced by any observations made by this court while deciding the application and they shall not be construed as an expression of opinion on merits of the case.

7. Application is accordingly disposed of.

V.M. KANADE, J.